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ESTEBAN XAVIER MONROY

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 2:23-CR-165-KJM
)
Plaintiff,) STIPULATION AND ORDER TO SET TRIAL
) AND SENTENCING SCHEDULE AND
vs.) EXCLUDE TIME
)
ESTEBAN XAVIER MONROY,)
) Date: February 11, 2025
Defendant.) Time: 9:00 A.M.
) Judge: Hon. Kimberly J. Mueller

IT IS HEREBY STIPULATED and agreed by and between United States Attorney Phillip A. Talbert, through Assistant United States Attorneys Emily Sauvageau and David Spencer, counsel for Plaintiff; and Federal Defender Heather Williams, through Assistant Federal Defender Christina Sinha, counsel for Mr. Monroy, that the following schedule may be set by the Court. The parties specifically hereby stipulate:

1. The four-day jury trial on Counts 2 and 3 of the Indictment (filed at Dkt. 13), which is currently set to commence on February 11, 2025, **may be continued to March 17, 2025 at 9:00 a.m.** Notwithstanding the Court's acceptance of Mr. Monroy's guilty plea as to Count 1 on October 08, 2024, the parties believe a four-day jury trial estimate is still appropriate.
2. The parties request the Court to set a **trial confirmation hearing and a status conference on sentencing as to Count 1 on February 11, 2025 at 10:00 a.m.**

- 1 3. The parties anticipate filing a subsequent stipulation and proposed order proposing
2 a motions *in limine* schedule. If that should not occur before the trial confirmation
3 hearing, the parties will be prepared to discuss that scheduling matter at the trial
4 confirmation hearing.
- 5 4. In September 2024, the defense received approximately 700 GB of video footage
6 in this case. Defense counsel is in trial on other matters in December 2024 and
7 February 2025. The defense also requires further time to prepare for trial in this
8 matter. As such, the parties stipulate that the ends of justice served by granting the
9 continuance outweighs the best interest of the public and Mr. Monroy in a speedy
10 trial, and respectfully request the Court so to find.
- 11 5. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (the Speedy Trial
12 Act), the parties request that the time period between February 11, 2025 through
13 and including March 17, 2025 be deemed excludable pursuant to 18 U.S.C. §
14 3161(h)(7)(B)(iv) (Local Code T4), because it would result from a continuance
15 granted by the Court at the defense's request, based on a finding that the ends of
16 justice served by granting the continuance outweighs the best interest of the public
17 and Mr. Monroy in a speedy trial.

18 The parties respectfully request this Court to adopt the parties' stipulation as its Order.

19 Respectfully submitted,

20 HEATHER E. WILLIAMS
21 Federal Defender

21 Date: October 8, 2024

22 /s/ Christina Sinha
23 CHRISTINA SINHA
24 Assistant Federal Defender
25 Attorneys for Defendant
26 ESTEBAN XAVIER MONROY

24 Date: October 8, 2024

25 PHILLIP A. TALBERT
26 United States Attorney
27 /s/ Emily Sauvageau
28 EMILY SAUVAGEAU
29 DAVID SPENCER
30 Assistant United States Attorney
31 Attorneys for Plaintiff

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

DATED: October 22, 2024.



UNITED STATES DISTRICT JUDGE